

# In the Supreme Court of the State of Alaska

**Sandy Sulzbach and Rob Sulzbach,**  
Appellants,

v.

**City & Borough of Sitka and John T.  
Ferrick,**  
Appellees.

Supreme Court No. **S-17853**

## **Order Returning Appellant's Brief**

Date of Order: **1/14/2021**

Trial Court Case No. **1SI-17-00237CI**

Appellant's brief, filed on 1/11/2021, is returned for correction, based on the following reasons specified by the law clerk who reviewed the brief and excerpt for technical compliance with Appellate Rules 210 and 212. The following matters must be corrected in order for the brief to be accepted.

1. The font in **text and footnotes** (page numbers) must comply with Appellate Rule 513.5(c), the same size font.
2. The brief page numbering is to start from the Jurisdictional Statement. Pages ix-xiii should be numbered 1-5. This means that the brief is actually 54 pages so four pages overlength. A motion to accept overlength will be required if the brief cannot be within the 50 page limit. Appellate Rule 212(c)(4)
3. In the Argument Section every factual assertion must be supported by a citation the excerpt or record. Appellate Rule 212(c)(1)(I). e.g. Pages 15-17 the introduction has no citations; Page 20 City retained possession, conclusions of the court; Pages 25-26 City's level of control, insurance, legal responsibility for insurance; Pages 30-31 safety, notice, court's conclusion; Pages 37-38 evidence presented at trial; Pages 43-45 method of hanging chandeliers, safety checks, city's arguments.

No excerpt of record was filed with the brief. Per Appellate Rule 210(c)(1)(A) "Each party shall file and serve an excerpt of record with the party's brief." Appellate Rule 210(2)(A) explains what must be contained in the appellant's excerpt of record.

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The original and one copy of the corrected brief, **and the excerpt**, with proof of service, are due on or before **1/25/2021**.

The appellees' brief due date is **VACATED**. A notice with a renewed due date will be issued when the appellants' brief is accepted for printing and distribution.

Entered under Appellate Rule 102(f).

Clerk of the Appellate Courts

A handwritten signature in black ink that reads "Beth A. Pechota". The signature is written in a cursive, flowing style.

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Beth A. Pechota, Deputy Clerk

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